



**SPECIAL CALLED JOINT WORKSESSION  
CITY COUNCIL AND CHARTER REVIEW COMMISSION  
GEORGE A PUREFOY MUNICIPAL CENTER  
VIVIAN MCCALLUM  
4<sup>TH</sup> FLOOR CONFERENCE ROOM  
6101 FRISCO SQUARE BOULEVARD  
FRISCO, TEXAS 75034**

**5:30 PM**

**MONDAY, OCTOBER 12, 2009**

**MINUTES**

**CALL TO ORDER**

Mayor Maso called the special called Council Meeting to order at 5:40 p.m. and announced that a quorum of Council members were present with Pat Fallon to arrive later.

Chairman Will Sowell called the Charter Review Commission to order at 5:40 p.m. with a quorum present.

**ROLL CALL**

Mayor Maher Maso – Present  
Mayor Pro Tem Jeff Cheney - Present  
Deputy Mayor Pro Tem Bob Allen - Present  
David Prince - Present  
Bart Crowder - Present  
Scott Johnson - Present  
Pat Fallon – Present (arrives 6:15 p.m.)

Chairman Will Sowell - Present  
Vice Chairman Jim Joyner - Present  
Dick Abernethy - Present  
Mark Dunton - Present  
Jerry Holder - Present  
June Taylor - Absent  
Bill Woodard - Present  
Tim Nelson - Present  
David Buck - Present  
Doug Mousel - Absent

Representing staff were: City Manager George Purefoy; Deputy City Manager Henry Hill; Assistant City Manager Nell Lange (arrived at 6:01 p.m.); City Secretary Jenny Page and City Attorney Rebecca Brewer (arrived at 5:51 p.m.).

### **CITIZEN INPUT**

No citizens were present to speak.

### **REGULAR AGENDA**

1. Discuss and consider Tentative proposals for Charter revisions.

Will Sowell opened the discussion by going through each section individually and pointing out changes as follows:

3.01 Composition - Delete the transition from 2 year terms to 3 year terms. They are no longer applicable.

3.02 Limitations on Terms - David Prince asked for clarification on whether a councilmember can run for mayor or would have to wait a full term. Mr. Sowell commented that he agreed that legal counsel should address the statement for clarification and explained the intent of the statement was implied in the previous statement as there would not be a full term hold over. Rebecca Brewer arrived at 5:58 p.m. Ms. Brewer agreed that the language could be changed to read more clearly.

Nell Lange arrived at 6:01 p.m.

Mayor Maso suggested a short break at 6:10 p.m. for refreshments and the arrival of Pat Fallon. Mr. Fallon arrived at 6:15 p.m.

Discussion continued at 6:16 p.m. with Section 3.02 and clarification on continuation of terms during the Charter Amendment election and opinions on the changes. Mayor Maso asked the commission to consider one year as the time in between running

again.

Chairman Sowell commented that discussion was held on single member districts and decided to leave all positions At Large.

Mayor Maso asked if there had been discussion on enlarging the Council to eight positions. Members of the commission commented that there was discussion and felt that the Charter could be revised as early as two years from now and did not feel it was time yet.

Chairman Sowell commented on compensation, whether the Mayor should vote, and when the Mayor Pro Tem should be elected. There were no suggestions for changes.

3.07 (4) Powers of the City Council - Discussion on moving the City Secretary under the City Manager resulted in a mixed decision and was delayed to another time.

3.09(1) Meetings of the City Council - Discussion on allowing fewer Regular meeting dates during certain months. Ms. Brewer will suggest language at the next meeting.

3.10 Quorum/Voting - Discussion was held on the pros and cons of the proposed changes and Chairman Sowell suggested that the Commission revisit this issue at their next meeting.

5.02(2)(a) Filling for Office - Bob Allen commented that he felt a candidate should be 18 at the time of filing rather than at the time of the election. Several Council members felt that the age should remain 21. Chairman Sowell commented that the Commission should revisit this issue at their next meeting.

Bob Allen commented that he was going to have to leave and asked about the addition of filing fees and petitions to run for office in section 5.02. The commission answered that there had been considerable discussion and did not feel the change was advantageous.

Bob Allen left at 7:18 p.m.

6.02 Petition for Recall - David Prince asked for a definition of a qualified voter. Ms. Brewer explained the qualifications.

David Prince also asked if the 30% requirement for petitions was required by state law. Ms. Brewer advised that there were no prohibitions to the limits of the percentage. The commission will look at a rolling or alternative average.

6.13 Initiative - Language will need to match the changes in the previous section.

6.14 Referendum - David Prince asked for clarification on the 30 % for a referendum. Bill Woodard explained that the last sentence explains that it is referenced as the same

as a recall petition.

6.15 Voluntary Submission of Legislation by the City Council – discussion on whether language should be added to give citizens the right to introduce an initiative on any topic. The Commission will discuss at a later meeting.

9.01(1) Organization – Discussion was held on changing the proposed terms to 3 years and no member shall serve on the Commission for more than 2 completed consecutive terms. Jim Joyner suggested changing to "in accordance with existing zoning ordinance" and deleting the term length. The date of appointment was proposed to change to eliminate the July date to coincide with other board appointments.

9.02(3) Duties and Powers – Discussion was held on changing "3/4ths or 4 members, whichever is greater" to "of the majority of the *voting* Commission members".

9.03 Procedure - the date of August is proposed to be deleted to match the change in section 9.01(1).

9.04 (3) Discussion was held regarding the denial by the Planning and Zoning Commission, and Council's authority to override with a 3/4ths vote and asked for consideration of a 3/4ths vote to override an approval vote as well. Council asked the Charter Commission to revisit and come back with a recommendation.

Jerry Holder left at 8:14 p.m.

9.06 Sale of Liquor Prohibited in Residential Districts - This addition ensures that package stores will not be allowed in residential, multi-family, and mixed use areas only. Discussion was held on changing liquor to package store.

13.04 Officers and Employees - deleted

14.05 Employee's Political Activities - change "in" to "of" to ensure that city employees cannot run for or contribute to any candidate running for a City of Frisco elected position only.

Bob Allen returns at 8:29 p.m.

14.09(2) No Officer to Accept Gifts, Etc.- Chairman Sowell explained the gift changes that were taken from the recently amended Code of Ethics Ordinance will be inserted in this section for City Officers and a personnel policy amendment that addresses how employees receive gifts will be authorized through the City Manager and Human Resource Department.

A Section R would be added in relation to address gifts received from friends, clients, or customers.

2. Discuss and consider additional Charter revisions.

3.09 (1) Mayor Maso suggested changing of two meetings per month to a more flexible meeting schedule.

4.01 Mayor Maso asked that the Commission ensure that the City Manager's job description does not conflict with a project that the Human Resource Department is working on.

5.02(g) Pat Fallon asked for clarification on when the office of an incumbent elected City Official would become vacant. Ms. Brewer explained that the requirement was set by state law that it would become vacant when the incumbent files an application for any other elective public office.

6.13, 6.14, and 6.15 - Pat Fallon asked if a Bond election can be reversed by a referendum. Ms. Brewer explained that it could not.

6.11 Discussion was held on the need to ensure Denton County was included in all references to counties since Frisco is divided by both counties.

3.08 (1) Pat Fallon asked the Commission to consider allowing an elected official that leaves the board to be employed by the City after 3 years rather than 1 year.

3. Discuss and consider future agenda items.

The Commission will meet again on October 19<sup>th</sup> to review and reconsider items discussed in tonight's meeting.

## **ADJOURN**

With no further business to discuss, Mayor Maso and Chairman Sowell asked for motions to adjourn.

Pat Fallon moved to adjourn the Special City Council meeting at 9:05 p.m. Bart Crowder seconded. All were in favor.

Jim Joyner moved to adjourn the Charter Review meeting at 9:05 p.m. Bill Woodard seconded. All were in favor.

*(Please note these are preliminary meeting minutes and are not official until approved by the Charter Review Commission at the next scheduled meeting.)*

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Maher Maso, Mayor

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Will Sowell, Chairman

ATTEST:

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Jenny Page, City Secretary